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BUILDING FUTURES THROUGH EDUCATION

The McKinney-Vento Act and Children and Youth Awaiting Foster Care Placement

Strategies for Improving Educational Outcomes Through School Stability

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Executive Summary

> "Education was one of the few stabilities that I had in my life. My hope would be that a family would fill that role, but for me, it was education. That was the greatest gift. Everything else was taken away from me, but education wasn't. Even though it was a battle and a roller coaster, it was a sense of normalcy for me. It made the difference... For foster youth, who lose their culture, sense of self, and identity, education is their ticket to success. It's one of the few things no one can take away from them."
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> — Lupe Tovar[1]

A good education lays the foundation for stability and prosperity in adulthood. It provides young people with the intellectual and emotional tools they need to grow and succeed. Yet for youth experiencing homelessness and those in out-of-home care,[2] a good education is all too elusive.

These youth suffer from extreme instability in their home lives. Children and youth experiencing homelessness move constantly in their struggle to meet their most basic needs, such as shelter, food, health care, physical safety, economic stability, healthy surroundings, clothing, and transportation. Many face these obstacles alone, as abuse and neglect in their families have forced them out of their homes.

Youth in out-of-home care must cope with the stress and trauma of abuse and neglect and subsequent profound disruptions in their family lives, often while in the care of total strangers. Like their peers who are homeless, they too often face high mobility. A lack of available, appropriate resource families and living placements, poor selection or supervision of placements, failed reunification efforts, crises in placements, and changes in the permanency plan for the child, among many other possible factors, contribute to the reality that youth face an average of one to two placement changes per year while in out-of-home placement, in addition to their initial move upon entering care.[3]

Due to their mobility, youth in care and those experiencing homelessness also confront profound instability in their school placements. For example, 28% of homeless children go to three or more schools in a single year.[4] A study in Washington State found that twice as many youth in foster care changed schools as youth not in care.[5] Such school mobility is a formidable barrier for these youth to obtaining a good education. Several studies have shown the devastating effects of school mobility on a child's academic achievement.

Changing schools frequently also challenges emotional development, as the constant disruption of ties to friends and mentors exacerbates the anxiety and trauma the children experience from being separated from their families or from experiencing homelessness.

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act [McKinney-Vento Act] provides rights and services that are specifically designed to prevent these troubling consequences by increasing the school stability of youth experiencing homelessness and of a subset of children who are awaiting foster care placement. The McKinney-Vento Act is a federal law designed to increase the school enrollment, attendance, and educational success of children and youth experiencing homelessness. However, the Act's funding level results in only 6% of school districts nationwide receiving McKinney-Vento funds, although every school district must designate a homeless liaison and ensure that McKinney-Vento eligible students are identified, enrolled, and receiving the support they need to succeed in school.

The cornerstone of the McKinney-Vento Act is school stability: Students who are McKinney-Vento eligible can remain in one school for as long as they remain eligible and until the end of the school year in which they find permanent housing. Students have this right even if their temporary living situation is located in another school district or attendance area, as long as remaining in that school is in their best interest.

Children and youth "awaiting foster care placement" are eligible for the protections and provisions of the McKinney-Vento Act. However, the Act does not define that phrase *awaiting foster care placement*. Therefore, different states and localities have developed their own interpretations. Those interpretations span the spectrum from including only youth in temporary, emergency, or transitional placements to including all youth in out-of-home care. Regardless of where the youth fall on this spectrum, the Act's implementation for youth in care has been most successful in jurisdictions where child welfare and education agencies have worked together to develop a shared interpretation of, and shared responsibility for, those children awaiting foster care placement.

In fact, any effort to apply the McKinney-Vento Act to youth in out-of-home care requires effective, sustained collaborations between child welfare and education agencies. The educational achievement of their wards and students is a shared goal and responsibility of both agencies. For youth in care to be successful in school, both systems must work effectively. Just as a child's entry into the foster care system and involvement with the child welfare agency does not release schools from providing an appropriate education and

meeting the child's unique needs, the McKinney-Vento Act does not relieve child welfare agencies of their responsibilities to support the educational success of their wards. From the initial step of defining *awaiting foster care placement* through all the complexities of implementing rights and services, child welfare and education administrators and staff, at both the state and local levels, must operate in a coordinated, complementary fashion.

To ensure that youth awaiting foster care placement receive all the rights and benefits to which they are entitled, the practitioners interviewed for this publication recommend several specific implementation strategies. The following chart summarizes those strategies.

STRATEGY	IMPLEMENTATION TIPS
Design and implement strategies to maximize school stability and provide transportation.	• Child welfare agencies should strive to find living placements near the child's school of origin, maintain continuity in the child's living situations, and when living changes must occur, plan them such that placement changes occur at breaks in the school year. • Education and child welfare agencies can collaboratively determine the best plan for providing transportation and covering the costs, which may include sharing responsibility. • State and local child welfare and education agencies should seek additional funding for transportation, through grants or other state or local funding streams.
Ensure that state and local education and child welfare agencies have staff with sufficient training and capacity to ensure immediate enrollment, attendance, and services.	• Child welfare agencies should identify education specialists within their agencies, with sufficient capacity and resources to attend to education issues. • State coordinators and school district homeless liaisons must have sufficient capacity and resources to implement the McKinney-Vento Act for all eligible youth, both those experiencing homelessness and those in out-of-home care.

	• Individual schools should designate a McKinney-Vento contact. • Training should be provided on the McKinney-Vento Act to child welfare caseworkers and administrators. • Training should be provided to education staff and administrators about the unique experiences and needs of children in out-of-home care.
Clarify education-related roles and responsibilities.	Together, education and child welfare agencies should: • Specify who is responsible for enrolling youth in school, including following up with necessary information and documentation. • Specify who is responsible for deciding between the school of origin and the local school, preferably involving a team process. • Ensure that individual schools and caseworkers are aware of who is empowered to make educational decisions. • Specify a procedure for requesting and arranging transportation. • Specify a process for quick, accurate responses to questions about the McKinney-Vento Act.
Implementing procedures for schools and child welfare agencies to share information in order to deliver timely, effective services to children in care.	Together, education and child welfare agencies should: • Develop Memoranda of Understanding defining what information to share and establishing protocols for sharing and confidentiality. • Use technology to share appropriate information quickly and efficiently. • Develop joint forms to streamline information sharing.

Treat youth in out-of-home care with dignity, understanding, and discretion.

Together, education and child welfare agencies should:

- Keep in mind the real challenges and struggles youth face every day.
- Make flexible exceptions to policies and practices, to accommodate the realities of life in out-of-home care.
- Talk to the youth themselves, rather than just to caseworkers or foster parents.
- Get input from youth and alumni from care about their educational challenges and about strategies to meet them.

As this publication goes to press, the President has just signed into law the Fostering Connections to Success and Increasing Adoptions Act of 2008. This Act will strongly support the policy and practice recommendations in this report. This new law incorporated the fundamental principles of school stability into federal child welfare law: 1) children should remain in their school of origin when it is in their best interest to do so, and 2) children should be immediately enrolled in school if a move becomes necessary. Also, the Act permits the use of foster care maintenance dollars to support transportation to the school of origin. With these new school stability requirements in child welfare law and the expansion of federal dollars that can be used to support school-of-origin transportation, state and local child welfare agencies now have new tools and supports to use in their collaborations with their education partners that can bolster the implementation of the McKinney Vento Act for youth in out-of-home care.

In addition to the provisions of the Fostering Connections Act and the strategies outlined in this report, several additional policy changes would ensure that all youth in out-of-home care can benefit from school stability and support for academic success. Those policy changes include the following:

1. Amending federal and state education legislation to ensure that all youth in care are able to stay in their school of origin if it is in their best interest, are able to immediately enroll in school, and are receiving all the support they need to be successful in school. Such amendments should complement recent changes to federal child welfare laws, which are summarized in this report.

2. Amending federal and state child welfare legislation to facilitate and support educational success for youth in care. Such amendments also should complement recent changes to federal child welfare laws.

3. Ensuring that states and counties establish interagency task forces, steering committees, and agreements.

4. Ensuring that both education and child welfare agencies have designated staff with sufficient training, capacity, and resources to ensure immediate enrollment, attendance, and services.

5. Clarifying education-related roles and responsibilities and ensuring that school staff know who the educational decision-maker is for each student.

6. Implementing procedures for schools and child welfare agencies to share information in order to deliver timely, effective services to children in care.

7. Strengthening and fully funding the McKinney-Vento Act to provide appropriate services for all eligible youth.

8. Involving youth in out-of-home care and alumni in all policy-making endeavors.

This report describes how eight jurisdictions are defining *awaiting foster care placement* and how they are implementing the McKinney-Vento Act for youth in out-of-home care. It offers concrete strategies for building and maintaining effective collaborations between child welfare and education agencies and supporting the educational success of youth in care. As the jurisdictions highlighted in this publication show, effective collaboration across agencies can increase the academic success and overall well-being of youth in care. However, to ensure that all youth in out-of-home care can benefit from school stability and support for academic success, changes to federal education and child welfare legislation are necessary.